

REMARKS

This is in response to the non-final Office Action mailed October 31, 2006. Claim 117 is amended. Claims 90-117 are pending. Reconsideration and allowance are requested for the following reasons.

Claims 90-117 are rejected under 35 U.S.C. § 102(e) as being anticipated by Iloff et al., U.S. Patent No. 6,849,045. This rejection is respectfully traversed, and reconsideration is requested.

Claim 90 is directed to a system for monitoring a patient with a chronic condition. Claim 90 recites a processing computer configured to use the sources of physiological and symptom data to determine if an exception should be issued.

In example embodiments, an exception is issued if it is determined that the patient's physiological and symptom data warrant an intervention. For example, in one embodiment, an exception is issued if the patient's physiological and symptom data exceeds a certain threshold, thereby prompting an intervention by the medical professional caregiver in administering medication, or prompting taking further action in the medical care of the patient. See ¶ 0065 of the published application.

As discussed during the Interview on February 27, 2007, Iloff fails to disclose or suggest a system including a processing computer that is configured to use the sources of physiological and symptom data to determine if an exception should be issued, as recited by claim 90. Reconsideration and allowance of claim 90, as well as claims 91-104 that depend therefrom, are therefore respectfully requested.

Independent claim 105 is directed to a method including using the sources of physiological and symptom data to determine if an exception should be issued. Reconsideration and allowance of claim 105, as well as claims 106-116 that depend therefrom, are therefore requested for at least reasons similar to those provided above with respect to claim 90.

Independent claim 117 is directed to a system including a system including a processing computer that is configured to use the sources of physiological and symptom data to determine if an exception should be issued. As noted above, Iloff fails to disclose such a system. Reconsideration and allowance are requested.

Conclusion

Claims 90-117 remain pending in the application. These claims are allowable for at least the reasons set forth above (other reasons may exist, and Applicants reserve the right to make additional arguments advancing these arguments in the future). Accordingly, Applicants respectfully request prompt reconsideration, allowance, and passage of the application to issue. Should the Examiner have any questions or concerns, the Examiner is urged to contact the undersigned by telephone at the number below to expeditiously resolve this matter.

Respectfully submitted,
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Date: April 29 2007

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